



U.S. Department
of Transportation

Pipeline and
Hazardous
Materials Safety
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 16 2005

DOT-E 9623
(TENTH REVISION)

EXPIRATION DATE: March 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Orica USA Inc.
Watkins, CO

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 1.5D and 5.1 materials in a cargo tank with a dromedary compartment (cargo compartment) containing Division 1.1 explosives mounted directly behind the tractor cab subject to the limitations specified herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analysis performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.101 Table Column (8c), 173.63, 177.835(c)(3) and 177.835(g), except as specified herein.

5. BASIS: This exemption is based on the application of Orica USA Inc., dated April 15, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Boosters, without detonator	1.1D	UN0042	II
Cord, detonating, flexible	1.1D	UN0065	II
Detonator assemblies, non-electric, for blasting	1.1B	UN0360	II
Detonators, electric, for blasting	1.1B	UN0030	II
Detonators, non-electric, for blasting	1.1B	UN0029	II
Explosive, blasting, type A	1.1D	UN0081	II
Explosive, blasting, type B	1.1D	UN0082	II
Explosive, blasting, type E	1.1D	UN0241	II

7. SAFETY CONTROL MEASURES: Prescribed packaging is a DOT Specification MC 306 or MC 307 cargo tank prescribed in DOT-E 8554; the Butler manufacturing Company's units identified as models 1025, 1200 and 1500 or Fruehorf hopper pressure bulk trailer model HABF2J; Ireco Chemical's Bulk Delivery Truck as shown on drawings submitted with their application; repump truck as shown on Ireco drawing AYC 266, dated November 1982, AYC 327 dated March 1983; with a dromedary compartment (cargo compartment) mounted directly behind the tractor cab. The cargo tanks are authorized only for shipments of blasting agents or oxidizers which have already been authorized to move in bulk quantities under certain exemptions. The dromedary compartment (cargo compartment) is authorized only for shipment of Class 1 (explosive) materials, other than initiating explosives. The dromedary compartment (cargo compartment) must be in conformance with § 177.835(e) and (f) or with

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§ 177.835(g)(3) and applicant's drawings numbered 1, 2 and 3 on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

8. SPECIAL PROVISIONS:

a. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

b. Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 9623."

c. Motor carriers operating under the terms of this exemption must have a "Satisfactory" safety rating as prescribed in Part 385 of the 49 CFR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by a Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

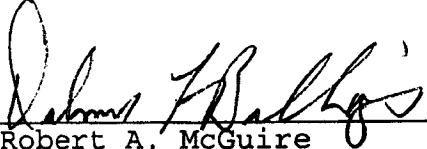
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee" as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

for 
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 18 2005
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: alb

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Alaska-Pacific Powder Company Olympia, WA	Mar 16, 2005	Apr 19, 2005	Mar 31, 2007
American East Explosives Inc. Springfield, MO	Apr 15, 2005	May 16, 2005	Mar 31, 2007
Austin Powder Co. Cleveland, OH	Mar 14, 2005	Apr 19, 2005	Mar 31, 2007
Buckley Powder Company Englewood, CO	May 3, 2005	May 24, 2005	Mar 31, 2007
Buckley Powder Company of Oklahoma, Inc. Mill Creek, OK	May 3, 2005	May 24, 2005	Mar 31, 2007
Hilltop Energy, Inc. Mineral City, OH	Feb 2, 2004	Apr 19, 2005	Mar 31, 2007
R & R Trucking, Inc. Duenweg, MO	Jul 20, 2005	AUG 11 2005	Mar 31, 2007

Robert A. McGuire
for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety